# 2015 SUPREME COURT UPDATES

*The Kentucky Department of Criminal Justice Training provides the following case summaries for information purposes only. As always, please consult your agency's legal counsel for the applicability of these cases to specific situations.*

*There also are additional summaries of cases not included in this update located on the website. Full text of all U.S. Supreme Court cases may be found at http://www.supremecourt.gov/.*

## MISTAKE OF LAW

Heien v. North Carolina, 135 S.Ct. 530 (2014), Decided Dec. 15, 2014
**ISSUE:** May a mistake of law, made by an officer, still support an investigatory stop?
**HOLDING:** The Court agreed all that is required of a traffic stop is reasonable suspicion, and that makes allowance for a mistaken understanding of a traffic law. (The statute in question was somewhat ambiguous.)

## ARMED CAREER CRIMINAL ACT

Johnson v. U.S., --- U.S. --- (2015), Decided June 26, 2015
**ISSUE:** Is the residual clause of the Armed Career Criminal Act void for vagueness?
**HOLDING:** The Court ruled that the above statute, which adds to a sentence if the individual has prior convictions for violent conduct, is void due to lack of an adequate definition of what would qualify as violent conduct.

## PREGNANCY DISCRIMINATION

Young v. United Parcel Service, 135 S.Ct. 1338 (2015), Decided March 25, 2015
**ISSUE:** Must women who need temporary accommodations, such as lifting restrictions, during their pregnancy, be treated in the same way as other employees who need such accommodations?
**HOLDING:** The Court agreed that although temporary accommodations are never required, if an employer does provide temporary accommodations for some employees for non-job-related medical issues, it also must do so for pregnancy.

## FREEDOM OF SPEECH

Elonis v. U.S., 135 S.Ct. 2001 (2015), Decided June 1, 2015
**ISSUE:** Does federal law require that an individual have the mental state to transmit a "true threat?"
**HOLDING:** The Court concluded the federal statute in question required that the individual must have the mental state to transmit a true threat. The case was remanded as it was not argued under the correct standard.

## SEARCH AND SEIZURE — MANDATORY DISCLOSURE

City of Los Angeles v. Patel, --- S.Ct. --- (2015), Decided June 22, 2015
**ISSUE:** May municipalities require business owners to submit to an examination of their business records without a court order (such as an administrative subpoena) or an exigent circumstance?
**HOLDING:** The Court agreed that requiring a private business to turn over records pursuant to an ordinance, without appropriate limitations, is an unlawful search. However, nothing prohibits a business from giving valid consent to do so. (The Court acknowledged some situations would allow for it, specifically liquor sales, firearms dealing, mining and running an automobile junkyard.)

## SEARCH & SEIZURE — K-9

Rodriguez v. U.S., 135 S.Ct. 1609 (2015),
Decided April 21, 2015
**ISSUE:** May a traffic stop be prolonged, absent at least reasonable suspicion, to allow for a drug sniff by a K-9?
**HOLDING:** The court agreed that a traffic stop may not be extended to wait for a K-9, without at least reasonable suspicion.


## FORCE — PRETRIAL DETAINEES

Kingsley v. Hendrickson, --- S.Ct. --- (2015), Decided June 22, 2015
**ISSUE:** What standard should be applied to evaluate the legality of use of force against an incarcerated pre-trial detainee?
**HOLDING:** The Court agreed that objective standard is the appropriate standard for an evaluation of use of force against a pretrial detainee who is incarcerated. That standard must be applied from the perspective of a reasonable officer at the scene, and when a jail is involved, must also take into consideration the need to maintain order and discipline in the facility.

**Please note, the latest cases in this summary have not yet been assigned official citations.**

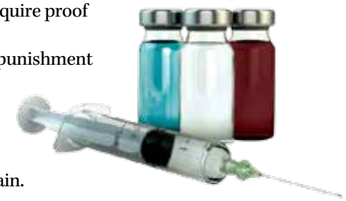


## SEARCH AND SEIZURE — KNOCK AND TALK

Carroll v. Carman, 135 S.Ct. 348 (2014), Decided Nov. 10, 2014
**ISSUE:** Is it clearly established that in a knock and talk, the front door must be approached first?
**HOLDING:** The Court agreed that it was not clearly established law that only the front door could be approached, and recognized that in certain factual situations, another door might be understood to be a "common entry point for visitors."

## CAPITAL PUNISHMENT

Glossip v. Gross, --- U.S. --- 2015, Decided June 29, 2015
**ISSUE:** Does the drug protocol for an execution require proof that the subject will encounter no pain?
**HOLDING:** The Court noted that because capital punishment is legal, there must be a way to carry it out. Although no method is perfect, the protocol in question (which used three drugs sequentially) was adequate and constitutional, even though there is a possibility the subject will suffer some pain.



## FIREARMS

Henderson v. U.S., 135 S.Ct. 1780 (2015), Decided May 18, 2015
**ISSUE:** May a court approve the transfer of a felon's guns, being held by law enforcement, to a third party?
**HOLDING:** The Court agreed that although a felon may not possess firearms, it was permissible for the court to approve the individual transferring the guns to someone (such as a dealer) who would not be a straw purchaser, acting as a temporary go between.

## FORCE

City and County of San Francisco v. Sheehan, 135 S.Ct. 1765 (2015), Decided May 18, 2015
**ISSUE:** Is it clearly established that officers must take a subject's disability into consideration while making a deadly-force decision?
**HOLDING:** The Court agreed that the ADA does not require officers to take an individual's disability into consideration when making a use-of-force decision that is otherwise justified.

## FOURTH AMENDMENT

Grady v. North Carolina, 135 S.Ct. 1368 (2015), Decided March 30, 2015
**ISSUE:** Is a civil monitoring program potentially a violation of the Fourth Amendment?
**HOLDING:** Grady was convicted of sexual offenses, and following the completion of his sentence, was ordered to wear a monitoring device for the rest of his life. The court agreed that placing a location-monitoring device on an individual is a search.

## FEDERAL LAW (BANK ROBBERY)

Whitfield v. U.S., 135 S.Ct. 785 (2015), Decided Jan. 13, 2015
**ISSUE:** Does the "forced accompaniment" provision of federal bank robbery law require that the victim be taken any minimum distance?
**HOLDING:** The Court agreed that federal law, which enhances the sentence for a bank robbery if a victim is forced to accompany the robber, does not mandate a specific minimum distance. In this case, moving the victim to another room was sufficient.

## RELIGIOUS DISCRIMINATION


EEOC v. Abercrombie & Fitch Stores, Inc., 135 S.Ct. 2028 (2015), Decided June 1, 2015
**ISSUE:** Must a prospective employee actually request a religious accommodation before [the employer] has an action for failing to hire because of a need for such an accommodation?
**HOLDING:** The court noted that the rule for claims based on failure to accommodate a religious practice is straightforward – a religious practice may not be used as a factor in employment decisions. Also an employer may not make assumptions as to what type of accommodations individuals might need. Further, otherwise neutral policies (in this case, a no-headwear policy) must give way to the need for a religious accommodation that does not present a safety or other hazard.

## CONFRONTATION CLAUSE

Ohio v. Clark, 135 S.Ct. 2173 (2015), Decided June 18, 2015
**ISSUE:** Does a statement made to a teacher by a young child implicate the Confrontation Clause?
**HOLDING:** The Court ruled that statements made by a young child to a teacher, concerning child abuse, were not testimonial, as the statements were not made with the primary purpose to enable law enforcement to pursue prosecution. The Court agreed the statements were made to meet an ongoing emergency, and the teachers had a valid reason to question concerning the perpetrator.